



*"One Team, One Town, One Family"*

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**House Bill (HB) 5189**  
**Michigan House of Representatives House Judiciary Committee**  
**November 7, 2017**

Testimony provided by: Michael S. Sessions, City Administrator / Clerk for the City of Morenci.

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Position: In Support for HB 5189

*Introduction*

Good afternoon Honorable Chairman and Representatives. My name is Michael Sessions and I am the City Administrator / Clerk for the City of Morenci – a position I've held for almost four (4) years. Additionally, my experience in municipal government in either an appointed or elected role spans 12 years. I also want to recognize that I've brought along City of Morenci Council Member Jeffrey Lampson and City of Morenci resident Jerome Bussell who are in support of my position today to this committee hearing.

*Position*

I am in support of HB 5189 that would define what, I believe, to be the true intent of the Michigan Medical Marihuana Facilities Licensing Act (MMMFA) of 2016, which is not to have marihuana facilities with stacked growing licenses. Stacking growing licenses will create an unintended monopoly, which is not what I believe the MMMFA intended to do. The intent being to allow for hobbyists within the industry, whom are providing medicine to qualified patients, with the ability to legitimize their hobby into a business to better our local and state economy.

Let me expound on this. In Section 501 (6) (a), the MMMFA reads that "Until December 31, 2021, [a grower shall have], or have as an active employee an individual who has, a minimum of 2 years' experience as a registered primary caregiver." Further, in the next subsection, which is Section 501 (6) (b), it reads that a grower shall "not be a registered primary caregiver and not employ an individual who is simultaneously a registered primary caregiver." So what does that mean? It means that, to me, the MMMFA was drafted to provide Michigan caregivers, who have abided by the 2008-initiated law with an opportunity

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to be a valuable part of the structured system of medical marihuana growing and distribution in our state.

This is what attracted our community to opt-in into the MMMFA. Our community has been plagued with problems associated with the 2008-initiated law for many years. The problems are associated with caregivers (who are doing this as a hobby to provide medicine to those patients in need) growing in their homes and in their backyards. I bet you can only imagine what that is like with less-than industrial grade equipment being used to grow medical marihuana with lot lines as close as five (5) feet from one (1) house to another. Mix that with a vaguely written law from 2008 that allows for such to occur, and you have issues where our personnel at the City of Morenci are struggling with how to enforce nuisance ordinances, while keeping the rights of caregivers and patients in mind. These struggles do not go away if stacking of grower licenses occurs.

Why do these problems go away without stacking of growing licenses? They go away because we have an opportunity to provide caregivers with the chance to build legitimate growing operations under a regulated state structure. This is very appealing for our community. In addition to that, for the caregivers that are not well capitalized, we see this as an opportunity for them to stop growing medical marihuana at their homes, and take their hobby to a professional setting by working for these types of businesses.

This goal of legitimizing the medical marihuana industry does not occur if we allow stacking of grower licenses. Stacking of grower licenses has the potential to create one (1) or two (2) big players in this state, while leaving municipalities that are without a vacant 383,000 square foot building (as mentioned in the Detroit Free Press last week), stuck to continue to deal with the unintended consequences of the 2008-initiated law.

To close, in Morenci we not only look at this as an industry where tax revenue can be realized, jobs can be created, and infrastructure that is greatly in need of repair can be fixed; we look at this as a way to industrialize an industry that allows us to build community where medical marihuana isn't grown in homes and backyards of our neighbors, while providing those with the interest in this hobby to have legitimate small businesses that contribute to our local and state economies. I urge you to give caregivers in this state a chance under the MMMFA and not create a monopoly from the start by allowing the stacking of grower licenses. I ask that this committee recommend that the Michigan House of Representatives approve HB 5189.